

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

STARWOOD CAPITAL GROUP LLC.,

Plaintiff,

v.

1&1 MAIL & MEDIA INC. a/k/a 1&1
INTERNET INC., WORLD MEDIA GROUP,
and JOHN DOE,

Defendants.

CIV. ACTION NO. 14-cv-_____

Judge: _____

Magistrate Judge: _____

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PROPOSED ORDER

AND NOW, this ____ day of ____, 2014 upon consideration of Plaintiff Starwood Capital Group LLC's ("Starwood") Motion to Preserve Evidence,

IT IS ORDERED that Starwood's Motion to Preserve Evidence is GRANTED and it is further ORDERED, ADJUDGED and DECREED that:

Defendants, and all other persons or entities within their control or supervision, and all other persons or entities acting in concert with Defendants or on their behalf or participating with them, preserve, maintain, and protect in their present state from destruction, modification or alteration, each and any of the documents, electronically stored information and things relevant to Plaintiff's Verified Complaint, which are in Defendants' possession, custody or control, pending the completion of this action or until further Order of Court.

ENTERED this ____ day of _____ 2014.

JUDGE, UNITED STATES DISTRICT COURT

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STARWOOD CAPITAL GROUP LLC

Plaintiff,

v.

1&1 MAIL & MEDIA INC. a/k/a 1&1
INTERNET INC., WORLD MEDIA GROUP,
and JOHN DOE

Defendants.

CIV. ACTION NO. 14-cv-_____

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PLAINTIFF'S MOTION TO PRESERVE EVIDENCE

Plaintiff Starwood Capital Group LLC ("Starwood"), by and through its undersigned counsel, hereby moves this Court for an Order directing that the documents, electronically stored information and things relevant to Starwood's Verified Complaint be maintained and preserved in their present state, without change or alteration by Defendants 1&1 Mail & Media Inc. a/k/a 1&1 Internet Inc., World Media Group, and John Doe, pending completion of this matter. In support thereof, Starwood states the following:

1. Starwood has filed a Verified Complaint against Defendants seeking a temporary restraining order and preliminary injunctive relief to remedy Defendants' misleading and infringing conduct against the intellectual property of Starwood.
2. Starwood has also filed a Motion for Temporary Restraining Order and Preliminary Injunction and a Motion for Expedited Discovery in this matter.
3. The majority of information sought by Starwood is of a nature such that the information is easily, and in some cases unintentionally, destroyed.

4. For Starwood to prepare adequately for the preliminary injunction hearing in this matter, it is necessary that this Court enter an Order directing that Defendants preserve all relevant information for purposes of discovery and hearing.

5. Such an Order will not harm Defendants. In contrast, the denial of its request to preserve evidence will substantially and irreparably harm Starwood.

WHEREFORE, this Court should enter an Order directing Defendants, and all other persons or entities within their control or supervision, and all other persons or entities acting in concert with Defendants or on their behalf or participating with them, to preserve, maintain, and protect in their present state from destruction, modification or alteration, each and any of the documents, electronically stored information and things relevant to Plaintiff's Verified Complaint, which are in Defendants' possession, custody or control, pending the completion of this action or until further Order of Court.

Dated: April 23, 2014

Respectfully submitted,

/s/ Tracy Zurzolo Quinn

Tracy Zurzolo Quinn
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*Attorneys for Plaintiff
Starwood Capital Group LLC*

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of April, 2014, I caused a true and accurate copy of the foregoing **Motion to Preserve Evidence** to be served on the following:

Via Overnight Delivery and E-mail:

1&1 Mail & Media Inc. a/k/a 1&1 Internet Inc.
c/o Legal Compliance
701 Lee Road, Suite 300
Chesterbrook, PA 19087
legalnotice@mail.com
legal@1and1.com

1&1 Internet Inc.
c/o J. Christopher Erb
The Erb Law Firm, PC
5901 Ridge Avenue
Philadelphia, PA 19128
jcerb@erblaw.com

World Media Group
90 Washington Valley Road, #1128
Bedminster, NJ 07921
corp@world.com

World Media Group
25 Mountainview Blvd., Suite 204
Basking Ridge, NJ 07920

Via E-mail:

John Doe identifying himself as “Barry S. Sternlicht”
starwood.capital@europe.com

/s/ Tracy Zurzolo Quinn
Counsel for Plaintiff